

FILED

AUG 17 2022

**U.S. DISTRICT COURT
EASTERN DISTRICT OF MO
ST. LOUIS**

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
v.)
)
ABDUL-AZIZ ABUHAMDEH,)
a/k/a "ABDULAZIZ ABUHAMDEH")
a/k/a "ABDUL-AZIZ MUHYI)
ABUHAMDEH")
)
Defendant.)

No. **4:22-CR-00453-JAR/PLC**

MOTION FOR PRE-TRIAL DETENTION AND HEARING

Comes now the United States of America, by and through its attorneys, Sayler A. Fleming, United States Attorney for the Eastern District of Missouri, and Samantha J. Reitz, Special Assistant United States Attorney for said District, and moves the Court to order defendant detained pending trial, and further requests that a detention hearing be held three (3) days from the date of defendant's initial appearance before the United States Magistrate pursuant to Title 18, United States Code, Section 3141, et seq.

As and for its grounds, the Government states as follows:

1. The defendant is charged with:
 - (a) in Count I, an offense for which a maximum term of imprisonment of ten years or more is prescribed in the Controlled Substances Act (Title 21, United States Code, Section 801, et seq.), specifically possession with intent to distribute 50 grams or more of actual methamphetamine, a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(a)(1), and punishable upon conviction

under Title 21, United States Code, Section 841(b)(1)(A)(viii); and

- (b) in Count II, an offense under Title 18, United States Code, Section 924(c), specifically, possession of a firearm in connection with the drug trafficking crime charged in Count I.

2. Accordingly, a rebuttable presumption arises pursuant to Title 18, United States Code, Section 3142(e)(3) that there are no conditions or combination of conditions which will reasonably assure the appearance of the defendant as required, and the safety of any other person and the community.

3. Pursuant to Title 18, United States Code, Section 3142(g), the nature of the allegations against the defendant, the weight of the evidence against the defendant, the defendant's history and characteristics, and the nature and seriousness of the danger to any person or the community that would be posed by the defendant's release additionally warrant the defendant's detention pending trial.

4. The defendant is a threat to the community. During an October 13, 2021 traffic stop, investigators located in the defendant's vehicle, among other items, baggies containing methamphetamine, a digital scale, a semi-automatic handgun, and a magazine with 7 rounds, despite the fact that the defendant is a convicted felon through the state of Missouri (for Domestic Assault 2nd Degree and Domestic Assault 3rd Degree) and prohibited from possessing a firearm.

5. There is also a serious risk of non-appearance, if the defendant is released. The defendant committed the violations charged in this case while he was on probation for his prior felony conviction through the State of Missouri.

WHEREFORE, the Government requests this Court to order defendant detained prior to trial, and further to order a detention hearing three (3) days from the date of defendant's initial appearance.

Respectfully submitted,

SAYLER A. FLEMING
UNITED STATES ATTORNEY

/s/ Samantha J. Reitz

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